

Forest Practices

Type I, II and III Reviews

Handout #29 Revised 2/25/04



What is the purpose of a forest practices review?

Forest Practice Applications (FPA's) are regulated through the Washington State Forest Practices Act Revised Code of Washington (RCW) 76.09 and the Clark Count Code (CCC 40.260.080 Forest Practices. The purpose of the Forest Practices Code is to identify potential effects from logging on critical areas, such as wetlands, steep slopes, stream buffers, archaeological sites, and areas of known endangered species.

As of July 23, 1997, Clark County imposes an automatic 6-year moratorium on all Non-Conversion FPA's. Any property logged without an FPA will receive an automatic 6-year moratorium. An FPA may be required when you propose to cut any trees. If you are considering removal of trees on your property, you should ask yourself these four questions:

Am I going to develop my land to create building lots?

If you intend to develop your property within six years of logging, you need a Conversion Forest Practice Permit from Clark County. You shall tell Clark County what type of development you are planning. In some cases, you may need to obtain approval of your development, and comply with other critical area permits before approval of your Timber Harvest Permit.

Am I going to keep growing trees?

If you intend to keep growing trees for at least six years, after your harvest, you will need to contact the Washington Department of Natural Resources (DNR), to obtain a Non-Conversion Forest Practices Application.

When you file a Non-Conversion Forest Practices Application, you invoke an automatic moratorium prohibiting development for 6-years. Specifically, building permits, land division and other development permits on all land logged under a Non-Conversion Forest Practice Application are prohibited. An owner of a legally established lot may apply for a waiver to the moratorium for a Single Family Home. The waiver request shall demonstrate compliance with other applicable Clark County Code requirements.

Am I undecided of my future plans for my land?

If you are undecided, you may apply to Clark County for a Conversion Option Harvest Plan (COHP) before filing a Non-Conversion FPA with the DNR. A COHP is an agreement between the landowner and the County that may allow you to harvest some of your trees subject to specific conditions of approval. The conditions of approval will be determined after review of your proposal relative to your specific site's physical attributes.

Clark County agrees not to impose a moratorium if you comply with the conditions of approval of the COHP. If you violate the terms of the COHP, the County will impose a 6 year moratorium on building permits, subdivision and other land use permits on all land logged under the agreement. It should be noted that the conditions of approval of a COHP might limit your overall harvest.

What is Clark County involvement in Timber Harvest Permits and Conversion Option Harvest Plans?

The Department of Community Development reviews each application for potentially adverse impacts to critical areas and drainage caused by the proposed clearing. Mitigation and/or prevention measures to limit adverse environmental impacts to critical areas and for silt and erosion control are made as conditions of approval for the FPA. Additional permits and requirements may apply when any grubbing or stumping of the harvested areas is proposed.

A Clark County Forest Practices Coordinator will monitor Timber Harvests for compliance with an approved application.

How do I apply for a Timber Harvest Permit or a Conversion Option Harvest Plan?

Applicants shall submit an original and 1 additional copy of a complete application to the Public Service Center, Customer Service Division at 1300 Franklin Street, Vancouver. An application submittal shall include:

Class IVG Forest Practice

1. ___ Completed Forest Practice Application;
2. ___ State Environmental Protection Act (SEPA) Checklist;
3. ___ Logging Site Plan including water type / site class map,
4. ___ Fees as identified in Chapter 6 of the Clark County Code.

Conversion Option Harvest Plan (COHP)

1. ___ A narrative describing:
 - Objectives of the timber harvest,
 - Relationship of the harvest to future development of the site,
 - Built and natural features present at the site,
 - Measures to be taken to preserve and protect critical areas,
 - Harvest method including type of equipment to be used, and
 - Expected dates of commencement and completion of all harvest activity.
2. ___ A conceptual layout of a probable future site development that is:
 - Drawn to scale,
 - Based on the existing zoning and physical limitations of the property,
 - Based on the likely building areas, roads, driveways, septic system areas and lot configuration.
3. ___ Completed Forest Practice Application
4. ___ Logging Site Plan
5. ___ Fees as identified in Chapter 6 of the Clark County Code

If you have any questions regarding Timber Harvest Permits or COHP please call the Department of Community Development, (360) 397-2375, Ext. 4714 or 4075.

How much do FPA's cost?

Type I Non-Exempt Class I Forest Practice:	\$393
Type I Single Family Moratorium Waiver:	\$393
Open Space/Current Use Taxation	\$393
Type II COHP (with Current Use TMP):	\$595
Type II COHP (without Current Use TMP):	\$1,025
Type II Class IVG Forest Practice:	\$1,153 (includes SEPA fee)
Type III Removal of Moratorium:	\$9,718

What other permits may I need?

You may need one or more of the following permits:

- Grading permit.
- Permit to work in a county right-of-way.
- Road Approach Permit (for access road installation).
- Hydraulics Project Approval (HPA) from Washington Department of Fish & Wildlife (WDF&W)
- Shoreline Permit
- Preliminary Land Division
- Wetland Permit
- Habitat Permit
- Floodplain Permit
- Joint Aquatic Resource Permits Application (JARPA)
- Archaeological Predetermination
- Geologic Predetermination

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

Types I, II and III Forest Practices Application

Handout No. 29 Revised 1/30/04



Legal name of Landowner:	Legal name of Timber Owner:	Legal name of Forestry Operator:
Name of Agent:	Forest Tax Reporting Account No: _____	UBI No: _____ Corp Tax ID No: _____
Mailing Address	Mailing Address	Mailing Address
City State Zip	City State Zip	City State Zip
Phone () E-Mail:	Phone () E-Mail:	Phone () E-Mail:

For information on tax reporting or tax numbers call the Department of Revenue at 1-800-548-8829.

Legal description:

Within ¼ sect. Of ¼ sect. of:	Section	Township	Range E/W	Parcel Number

We affirm that the information contained herein is true, and understand that this proposed Forest Practice is subject to the current rules and regulations of the Forest Practices Act, as well as any applicable Federal, State or Local rules and regulations. We the undersigned also affirm compliance with the Clark County Code Chapter 40.380. Compliance with this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

Landowner's Signature

Timber Owner's Signature

Forestry Operator's Signature

date:_____

date:_____

date:_____

STAFF USE ONLY

Date Received: _____

FPA No. _____

SEPA No. _____

Counter Complete Date: _____

Fully Complete Date: _____

Decision Date: _____

Class of Application

- ☐ Class I Forest Practice
- ☐ Class IV-G (SEPA Review Required) ☐ Conversion and/or ☐ Platted
- ☐ Class IV-Special (SEPA Review Required) ☐ COHP (Conversion Option Harvest Plan)
- ☐ Single Family Waiver from Six Year Moratorium (Plot Plan Required or Conceptual Building Envelopes Shown on Submittal)

Activity Type

- ☐ Harvesting ____ acres
- ☐ Chemical application to ____ acres
- ☐ Maintain ____ miles road
- ☐ Construction of ____ miles of new road

1. Forest Practices Roads Section

Complete the chart below.

ACTIVITY TYPE	TOTAL LENGTH In Feet	STEEPEST SIDE SLOPE ROAD CROSSES In Percent	TOTAL LENGTH OF ENDHAUL/OVERHAUL No Sidecast. Show all Locations on Base Map
NEW ROAD CONSTRUCTION			
RECONSTRUCTED ROAD			
ROAD ABANDONMENT			

- 1.1. Will you be opening or expanding a rock pit as part of this proposal?

☐ No

☐ Yes. Indicate size from choices below

☐ < ½ acre

☐ ½ to 3 acres.

☐ 3 acres
- 1.2. Do any proposed or existing roads cross any potentially unstable slopes? Typical signs include: Vegetative or Topographic indicators such as pistol butted trees, jack-strawed trees, or cracks in the soil surface; Slopes over 30%; Landslides (old or recent).

☐ No

☐ Yes

If unstable slopes are present, the project shall comply with Clark County Code Chapters 40.350 (Transportation and Circulations) and 40.430 (Geologic Hazard Areas).
- 1.3. Show and label the following items on the Base Map, a water typing map provided by Clark County.

☐ Location of all new construction, maintenance, existing roads, abandonment and landings.

☐ Location of endhaul/overhaul construction and waste areas.

☐ Location of rock pit(s) associated with this proposal.

☐ Location of haul route to public road.

☐ Location of unstable slopes
- 1.4. Describe how centerline and/or right-of-way limits will be marked on the ground.

2. Forest Practice Western Washington Small Landowner Exemption Section

This Section is For Conversion Option Harvest Plans Only

- 2.1 Do you own less than 80 acres of forest land in the State of Washington *and* is your proposal on a parcel of 20 contiguous acres or less under your single ownership?
- ☐ No. You do not qualify for the exemption. Complete all questions in Part 4, Forest Practices Water Section of this.
 - ☐ Yes. Go on to question 2.2.
- 2.2 Does a Watershed Analysis, issued on or before January 1, 1999, require any mitigation prescriptions? Please contact the Department of Natural Resources (DNR), if you require clarification.
- ☐ No. Go to question 3.
 - ☐ Yes, Watershed Analysis Name _____
Area of Resource Sensitivity _____
Applicable Prescription _____
Describe how you will comply with the prescription(s) _____

- 2.3 Will you be harvesting within the Riparian Management Zone (RMZ) of type 1-4 streams?
- ☐ No
 - ☐ Yes. Show RMZ's on the Base Map. Provide a detailed description of your RMZ proposal including all RMZ widths, and how you are marking the boundaries and leave or take trees within the RMZ. (use comment section below.)

3. Timber Harvest Section

Complete the chart below.

UNIT NO.	ACRES PER UNIT	TYPE OF HARVEST Even-aged, Uneven-aged, Salvage and/or Right of Way	METHOD OF YARDING Highlead, Skyline, Shovel, Rubber Tired Skidder, Tracked Skidder, Animal, Helicopter, Feller Buncher	TREES PER ACRE REMAINING AFTER HARVEST	ESTIMATED VOLUME TO BE HARVESTED In Board Feet

- 3.1 Indicate how required Wildlife Reserve Trees (WRT's) and Green Recruitment Trees (GRT's) will be left outside of Riparian Management Zones and Wetlands. Down logs are also required. At least 2 down logs per acre shall be left. At a minimum down logs shall be 12 inches in diameter at the small end and 20 feet long.

Check all that apply:

Wildlife Reserve Trees
See WAC 222-30-020(11)

Green Recruitment Trees
See WAC 222-30-020(11)

Minimum of 3 WRT's per acre greater than or equal to 12 inches DBH.

Minimum of 2 GRT's per acre greater than or equal to 12 inches DBH

☐ Clumped

☐ Clumped

☐ Evenly distributed throughout unit

☐ Evenly distributed throughout unit

3.2 Will you be harvesting timber on any potentially unstable slopes? Typical signs include: Vegetative or Topographic indicators such as pistol butted trees, jack-strawed trees, or cracks in the soil surface; Slopes over 30%; Landslides (old or recent).

- ☐ No
- ☐ Yes

If unstable slopes are present, the project shall comply with Clark County Unified Development Code Chapter 40.430 Geologic Hazards and 40.350 Transportation and Circulation.

3.3. What reforestation method will you use?

- ☐ Planting What tree species? _____
- ☐ Natural You must submit a reforestation plan. See instructions.
- ☐ Reforestation is not required under WAC 222-34-010, 222-34-020 or 222-34-050.

3.4 Describe how harvest boundaries will be marked on the ground.

3.5 Show and label the following items on the Base Map, a water typing map provided by Clark County.

- ☐ The location of each harvest unit.
- ☐ For every even-aged unit, provide the ages for any adjacent forest stands you own.
- ☐ The location of Wildlife Reserve and Green Recruitment Trees if the clumping option was chosen.
- ☐ The location of the haul route to a public road.
- ☐ Landing location(s).

3.6 If your project results in a strip of trees, 4-5 trees deep, left along a highway or power line, you shall notify Clark County Public Works Department and/or the Clark Public Utility District. Your notice to these agencies may help prevent accidents from falling trees and downed power lines.

4. Forest Practices Water Section

4.1 Will there be any activity within 200 feet of any Type 1 stream?

- ☐ No
- ☐ Yes. The project shall comply with the State Shoreline Management Act Chapter 90.58 RCW, Clark County Shoreline Master Program and Clark County Code 40.460.010. A Shoreline Substantial Development Permit may be required by the local government entity (LGE). Provide Documentation.

4.2 Will there be any activity in relation to a Type 1, 2 or 3 stream which is within 200 feet of: the bank-full width (BFW) or; channel migration zone (CMZ), which ever is greater?

- ☐ No
- ☐ Yes. The project shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation

4.3 Will there be any tree harvest within 150 feet of a type 4 or 5 stream?

- ☐ No
- ☐ Yes. The proposal shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation

4.4 Will there be any harvest or road construction within 210 feet of any wetland?

- ☐ No
- ☐ Yes. The proposal shall comply with Clark County Code 40.450 Wetland Protection

4.5 Work within any Type 1,2, or 3 stream shall have an Hydraulic Project Approval (HPA). Work within Type 4 or 5 stream may require an HPA. Providing answers to the following questions serves as your request for an HPA from the Washington Department of Fish and Wildlife.

1. Will there be any activity within or over Type 1,2, or 3 stream?

☐ No

☐ Yes, as described:_____

2. Will there be any activity within or over Type 4 or 5 stream?

☐ No

☐ Yes, as described _____

FOREST PRACTICES DECISION

Forest Tax ID no: _____

FPA file no: _____

SEPA file no: _____

Decision Effective: _____

Decision Expires: _____

Landowner Notice:

Sections of RCW 76.09.070, RCW 76.09.390 and WAC 222-20-055 require that before any sale or transfer of land or perpetual timber rights which are subject to any continuing forest land obligations under rules adopted in 1982 and under RCW 76.09.370 adopted in 1999:

1. **The seller** shall notify the buyer of the existence and nature of such an obligation,
2. **The buyer** shall sign a Notice indicating their knowledge of the continuing obligation and,
3. At time of sale or transfer of the land or perpetual timber rights, **the seller** shall send the signed Notice of continuing forestland obligation to the Clark County Dept. of Community Development.

The Notice of Continuing Forest Land Obligation form may be obtained at the Clark County Customer Service Center, 1300 Franklin Street, Vancouver, Washington.

There are four types of Continuing Forest Land Obligations:

1. Reforestation;
2. Road Maintenance and Abandonment Plan;
3. Harvest Strategy along a Type 4 stream in Eastern Washington; and,
4. Small Landowner Forest Riparian Easement.

If a seller fails to notify a buyer about the continuing forest land obligation, they shall pay the buyer's costs related to the continuing forestland obligation. Such costs include all legal and reasonable attorneys' fees incurred by the buyer in enforcing the continuing forestland obligation against the seller. The failure of a seller to send the required Notice to the DNR at the time of sale is prima facie evidence, in any buyer's legal action against a seller for costs related to continuing forest land obligation. The evidence shows that the seller failed to notify the buyer of the continuing forest land obligation before the sale.

If a landowner changes the forestry operator, they shall notify the Clark County, in writing, within 48 hours of the change.

Compliance with this application/ notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

Failure to comply with the approved FPA may result in enforcement actions under CCC 40.260.080 Forest Practices.

- ☐ **Approved Forest Practice Application** subject to the following conditions of approval:

1. _____

2. _____

3. _____

4. _____

- ☐ **Denied Forest Practice Application** due to the following reasons:

1. _____

2. _____

3. _____

4. _____

Clark County Forester

Date

Distribution to:

- ☐ DOR
- ☐ DNR
- ☐ Landowner
- ☐ Seller
- ☐ Buyer
- ☐ Forestry operator

DEVELOPMENT REVIEW APPLICATION FORM

(Form DS1000-Revised 12/4/03)



PROJECT NAME:		
TYPE(S) OF APPLICATION (See Reverse Side):		
DESCRIPTION OF PROPOSAL:		
APPLICANT NAME:	Address:	
E-mail Address:	Phone and Fax:	
PROPERTY OWNER NAME (list multiple owners on a separate sheet):	Address:	
E-mail Address:	Phone and Fax:	
CONTACT PERSON NAME (list if not same as APPLICANT):	Address:	
E-mail Address:	Phone and Fax:	
PROJECT SITE INFORMATION: Site Address:	Comp Plan Designation:	
Cross Street:	Zoning:	Serial #'s of Parcels:
Overlay Zones:	Legal:	Acreage of Original Parcels:
Township:	Range:	¼ of Section:

AUTHORIZATION

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the County to enter the properties listed above.

Authorized Signature

Date

Assigned at Customer Service Center	CASE NUMBER:	
	WORK ORDER NUMBER:	

APPLICATION TYPES

If you have any questions regarding the type of application being requested, our Customer Service Center will be happy to assist you.

- ☐ Annual Review
- ☐ Appeal
- ☐ Boundary Line Adjustment and Lot Reconfiguration
- ☐ Conditional Use

Environmental/Critical Areas:

- ☐ Archaeological
- ☐ Critical Aquifer Recharge Area (CARA)
- ☐ Columbia River Gorge
- ☐ Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- ☐ Floodplain
- ☐ Geological
- ☐ Habitat
- ☐ Historic
- ☐ SEPA
- ☐ Shoreline
- ☐ Wetland

Land Division:

- ☐ Binding Site Plan
- ☐ Final Plat
- ☐ Plat Alteration
- ☐ Short Plat (___ Infill)
- ☐ Subdivision (___ Infill)

Miscellaneous:

- ☐ Addressing
- ☐ Accessory Dwelling
- ☐ Covenant Release
- ☐ Garden Shed Setback Waiver
- ☐ Home Occupation
- ☐ Legal Lot Determination & Innocent Purchasers Determination
- ☐ Non-Conforming Use Determination
- ☐ Reconstruct Letter
- ☐ Sewer Waiver
- ☐ Shooting Range
- ☐ Sign

Planning Director Review:

- ☐ Post Decision
- ☐ Pre-Application Conference
- ☐ Pre-Application Waiver
- ☐ Public Interest Exception
- ☐ Similar Use
- ☐ Temporary Use
- ☐ Other

- ☐ Planned Unit Develop/Master Plan
- ☐ Road Modification
- ☐ Site Plan
- ☐ Variance
- ☐ Zone Change